

Missouri State Board of Education

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MINUTES OF MEETING OF THE STATE BOARD OF EDUCATION March 26, 2010

The Missouri State Board of Education met on March 26, 2010, in Jefferson City, Missouri.

Present: David Liechti, President
Peter F. Herschend, Branson, Vice President
Rev. Stan Archie, Kansas City, Member
Deborah Demien, Wentzville, Member
J. Michael Ponder, Cape Girardeau, Member
Sybl Slaughter, Lebanon, Member
Russell Thompson, Columbia, Member
Chris L. Nicastro, Commissioner of Education
Robin Barbour, Executive Assistant
Associate Commissioner Gerri Ogle; Deputy Commissioner
Richard Phillips; Assistant Commissioners Heidi Atkins
Lieberman, Charles Brown, Jeanne Loyd, Tom Quinn, and
Stan Johnson; Mark Van Zandt, General Counsel; Jim Morris,
Director of Public Information; and Robin Coffman, Assistant
to the Commissioner

No. 11529
Call to Order
03/26/2010

President Liechti called the business meeting of the Missouri State Board of Education to order at 8:35 a.m. The meeting was held in the State Board of Education meeting room on the first floor of the Jefferson State Office Building.

No. 11530
Agenda

The agenda for the March 26, 2010, meeting of the State Board of Education was approved.

No. 11531
Minutes
03/26/2010

It was moved by Dr. Thompson, seconded by Rev. Archie, to approve the minutes of the February 18, 2010, meeting of the State Board of Education as presented.

Motion carried. (Yes: 7)

No. 11532
President's
Report

President Liechti thanked the students of the Heber Hunt Elementary School (Sedalia School District) for the excellent artwork on display in the Board Room and the sixth floor offices.

President Liechti announced meeting opportunities for April which include the Citizenship Award Luncheon at noon on April 21; a dinner meeting with the Coordinating Board for Higher Education (CBHE), director of the Department of Economic Development, Coordinating Board for Early Childhood (CBEC) and the 2020 Educated Citizenry Committee on April 21; and a joint meeting of the State Board of Education, CBHE and CBEC on April 22. The meeting of the State Board of Education will begin at 1:00 p.m. on April 22.

Ms. Slaughter reported that she had attended the Missouri Association of Elementary School Principals banquet at Tan-Tar-A. Ms. Slaughter also commented that she had attended the Distinction in Performance banquets in Joplin and Rolla. She stated that these banquets are a good opportunity for superintendents to celebrate good things.

Rev. Archie reported that he had attended the Distinction in Performance banquet in Warrensburg. He said the administrators were very positive about the recognition they received.

No. 11532
President's
Report (cont.)

Mr. Herschend reported that he had also attended the Distinction in Performance banquet in Joplin. He commented that as the Joplin Regional Professional Development Center is fairly new, this was the first Distinction in Performance banquet held there and the staff and superintendents were appreciative.

No. 11533
NASBE
Report

Rev. Archie reported that he had attended the NASBE legislative conference and Board of Directors meeting in Washington, DC. He commented that the conversations focused around the Elementary and Secondary Education Act (ESEA) Reauthorization, the Common Core Standards and Race to the Top, particularly the turnaround strategies. He also reminded the Board that a team from Missouri would be attending NASBE's central region states Common Core Standards meeting next week in St. Louis.

No. 11534
Closed
Session

Ms. Slaughter moved that a closed session, with a closed record and closed vote, be held during the meeting of the State Board of Education on April 22-23, 2010, as posted by the Executive Assistant, to consider the following:

1. Legal actions, causes of action, litigation, or legal work product relating to the State Board of Education and the Department of Elementary and Secondary Education, as well as any confidential or privileged communications between those entities and legal counsel;
2. Hiring, firing, disciplining or promoting of employees of the Department of Elementary and Secondary Education;
3. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment; and
4. Other records protected from disclosure by law.

Motion was seconded by Dr. Thompson and carried.

Vote: Yes Ponder, Herschend, Archie, Demien,
Thompson, Slaughter, Liechti

No. 11534
Closed
Session
(cont.)

Following such affirmative vote, the vote of each Board member on the question of holding the closed meeting, closed record and closed vote and the statutory reason therefor was announced publicly by the Executive Assistant.

It was moved by Ms. Slaughter to direct the Executive Assistant to prepare, post, and make available to the news media notice of such closed meeting, closed record, and closed vote as required by law, and that a copy of such notice be filed with the minutes of the meeting which it announces.

Motion was seconded by Dr. Thompson and carried.

No. 11535
Consent
Agenda

It was moved by Dr. Thompson, seconded by Ms. Slaughter, to approve the consent agenda as follows:

Consideration of Personnel Report (Exhibit 1)

Consideration of Classifying School Districts That Qualified for a Waiver of the Missouri School Improvement Program On-Site Review for 2008-2009 (Exhibit 2)

Consideration of Calendar Change for Missouri School for the Blind for the 2009-2010 School Year (Exhibit 3)

Consideration of School Calendars for State Board-Operated Programs for the 2010-2011 School Year (Exhibit 4)

Consideration of an Order of Rulemaking to Amend Rule 5 CSR 60-100.020 Administration of High School Equivalence Program (Exhibit 5)

Motion carried. (Yes: 7)

No. 11536
Consideration
of an Order of
Rulemaking
to Amend 5
CSR 70-
742.140, Mo.
State Plan for
Part B,
Regulations
Implementing
IDEA

It was moved by Dr. Thompson, seconded by Mr. Herschend, to
authorize publication of an order of rulemaking to amend 5 CSR 70-742.140,
the Missouri State Plan for Part B of the Individuals with Disabilities Education
Act in the *Missouri Register* and that the State Board finds these amendments
necessary to carry out the purpose of Sections 161.092 and 162.685 RSMo.

Motion carried. (Yes: 7) (Exhibit 6)

No. 11537
Consideration
of an Order of
Rulemaking
to Amend 5
CSR 70-
742.141, Mo.
State Plan for
Part C of
IDEA

It was moved by Dr. Thompson, seconded by Ms. Slaughter, to
authorize publication or an order of rulemaking to amend 5 CSR 70-142.141,
the Missouri State Plan for Part C of the Individuals with Disabilities Education
Act in the *Missouri Register* and that the State Board finds this amendment
necessary to carry out the purpose of Sections 160.900-160.925 and 161.092
RSMo.

Motion carried. (Yes: 7) (Exhibit 7)

No. 11538
Consideration
of
Compliance
of Charter
School
Proposal for
St. Louis
Collegiate

It was moved by Rev. Archie, seconded by Dr. Thompson, to authorize
St. Louis Collegiate to commence operations pursuant to the charter granted by
the University of Missouri-St. Louis, effective the 2010-2011 school year.

Motion carried. (Yes: 7) (Exhibit 8)

No. 11539
Consideration
of
Compliance
of Charter
School
Proposal for
DeLeSalle

It was moved by Ms. Slaughter, seconded by Mr. Ponder, to authorize
DeLaSalle Charter School to commence operations pursuant to the charter
granted by the University of Missouri-Kansas City, effective the 2010-2011
school year.

Motion carried. (Yes: 7) (Exhibit 9)

No. 11540
Consideration
of Issuance of
a Substitute
Certificate to
Christine A.
Leach

It was moved by Dr. Thompson, seconded by Ms. Slaughter, to issue a substitute certificate of license to teach to Christine A. Leach.

This matter came before the Board after Ms. Leach pled guilty to the misdemeanor, DWI-Combined Alcohol/Drug Intoxication; misdemeanor, Operated Vehicle on Hwy. Without Valid License; and infraction, Fail to Drive on Right Half of Roadway When Roadway was of Sufficient Width, in the Associate Circuit Court of Franklin County.

Motion carried. (Yes: 7) (Exhibit 10)

No. 11541
Consideration
of a Request
by Nicole J.
Lowe for
Reactivation
of a Teaching
Certificate

It was moved by Mr. Herschend, seconded by Ms. Demien, to reactivate the teaching certificate of Nicole J. Lowe.

This matter came before the Board after Ms. Lowe pled guilty and received a suspended imposition of sentence to the felony, Theft/Stealing (Value of Property or Services is \$500 or More But Less Than \$25,000) in the Circuit Court of Newton County.

Motion carried. (Yes: 7) (Exhibit 11)

No. 11542
Consideration
of Issuance of
a Substitute
Certificate to
Lillie E.
Nichols

It was moved by Mr. Ponder, seconded by Mr. Herschend, to issue a substitute certificate of license to teach to Lillie E. Nichols.

This matter came before the Board after Ms. Nichols pled guilty to the charge, Aiding and Abetting Voter Fraud, in the United States District Court, Southern District of Illinois.

Motion failed. (Yes: 6, No: 1) (Exhibit 12)

No. 11543
Consideration
of a Request
for
Background
Clearance by
Kylie R.
Switzer

It was moved by Mr. Herschend, seconded by Ms. Demien, to grant background clearance to Kyle R. Switzer, upon completion and documentation of a satisfactory probation period.

This matter came before the Board after Mr. Switzer pled guilty and received a suspended imposition of sentence to the misdemeanor; Assault-3rd Degree, in the Circuit Court of Johnson County.

Motion carried. (Yes: 7) (Exhibit 13)

No. 11544
Consideration
to Discipline
the License to
Teach of
Tracie
Lowman

After a review of the transcript and other documentation, it was moved by Dr. Thompson, seconded by Ms. Slaughter, to revoke Tracie Lowman's certificate of license to teach.

Motion carried. (Yes: 7) (Exhibit 14)

No. 11545
Reports

The following reports were presented to the State Board of Education on March 26, 2010:

Report on the Missouri Implementation Audit (Exhibit 15)

Report on State Legislative Issues

Report on the Fiscal Year 2011 Budget

Report on the Common Core Standards

Report on Race to the Top

Report on Missouri Schools for the Blind and Deaf Operations Task Force (Exhibit 16)

Report on Reorganization of the Department of Elementary and Secondary Education

Agenda Items for Two Months in Advance of Current Meeting

No. 11546
Adjournment
03/26/2010

The meeting adjourned at 2:05 p.m. on March 26, 2010. The next meeting of the State Board of Education will be held April 22-23, 2010, at Jefferson City, Missouri.

President

Executive Assistant